



10 November 2016

Ms Tanja Cvijanovic  
Executive Director  
Office of Best Practice Regulation  
Department of the Prime Minister and Cabinet  
One National Circuit  
BARTON ACT 2600

Dear Ms Cvijanovic,

**OBPR ID 21464: SUNSETTING OF THE *BANKING REGULATIONS 1966***

I am writing to the Office of Best Practice Regulation (OBPR) regarding the *Banking Regulations 1966* (Regulation), which, as per the *Legislative Instruments Act 2003*, is scheduled to sunset on 1 April 2017. It has been decided that the instrument is to be remade without significant amendment.

The Department of the Treasury certifies that the Regulation is operating effectively and efficiently, and therefore a Regulation Impact Statement is not required for the Regulation to be remade, as in accordance with the Guidance Note for Sunsetting Legislative Instruments.

The assessment that the Regulation is operating effectively and efficiently has been informed by a sunseting review of the instrument which was conducted in consultation with the Australian Securities and Investments Commission and the Australian Prudential Regulation Authority. The sunseting review concluded that the Regulation should be remade as the *Banking Regulation 2016* (remade Regulation).

The remade Regulation will improve the instrument by repealing redundant provisions, simplifying language and restructuring provisions that are difficult to navigate. The remade Regulation will also include language and formatting changes to increase consistency, align with current drafting practices and improve readability. These changes will not alter the substantive meaning or operation of the provisions.

Public consultation was conducted between 30 September 2016 and 28 October 2016 on an exposure draft of the remade Regulation and explanatory statement. There were no formal responses to the consultation.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Nghi Luu on (02) 6263 2540 or [nghi.luu@treasury.gov.au](mailto:nghi.luu@treasury.gov.au).

Yours sincerely

John Lonsdale  
Deputy Secretary  
Markets Group